

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG

JEREMY JASON CROCK,

Petitioner,

v.

CIVIL ACTION NO. 3:05-0017
CRIMINAL ACTION NO. 3:02-00064

UNITED STATES OF AMERICA,

Respondent.

JUDGMENT ORDER

By Order filed in this case on April 25, 2005, this matter was referred to United States Magistrate Judge James E. Seibert. (See Doc. No. 3.) Pursuant to 28 U.S.C. § 636(b)(1)(B), the Standing Order directs Magistrate Judge Seibert to submit proposed findings and recommendation concerning the disposition of this matter. Magistrate Judge Seibert submitted his Report and Recommendation on March 14, 2006. (See Doc. No. 4.) The magistrate judge recommended that petitioner's motion under 28 U.S.C. § 2255 be denied. (See id. at 3.)

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted ten days, plus three mailing days, in which to file any objections to Magistrate Judge Seibert's Report and Recommendation. Within the applicable time period, petitioner filed objections.

For reasons to be discussed in a memorandum opinion filed herewith, the court **OVERRULES** the plaintiff's objections. The court further (1) **CONFIRMS** and **ACCEPTS** the magistrate judge's

findings (Doc. No. 4), (2) **DENIES** petitioner's motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Doc No. 1), and (3) **DIRECTS** the Clerk to remove these matters from the court's active docket and to forward a copy of this Judgment Order to the plaintiff, pro se, and to all counsel of record.

IT IS SO ORDERED this 11th day of July, 2006.

ENTER:



David A. Faber
United States District Judge